

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Land Acquisition - Nalgonda District- Miryalaguda Mandal- Chintapally Village- Interest allowed on 30% solatium and 12% AMV by the Hon'ble High Court in Rev.CRPMP No.2490 of 2011 in Rev.CRPMP No.7846 of 2008 in CRP No.6007 of 2006, dated:28.07.2011 in OP.No.12/89- Decretal charges proposals received – Hon'ble Supreme Court orders dated:12.03.2004 in C.A.No.5515/1997- payment of interest disallowed on Additional MV and MV prior to the date of DN – administration sanction an amount Rs.30,99,335/- for decretal charges – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (SER.IV) DEPARTMENT

G.O.Rt.No. 777

Dated:13.08.2013.

Read:-

From the Special Chief Secretary to Govt & Chief Commissioner of Land Administration, A.P., Hyd., CCLA/Lr.No.G1/1472/2012, dt: 30.05.2013.

ORDER:-

The CCLA, AP, Hyderabad has stated that the District Collector, Nalgonda has reported that an extent of Ac.38.18 gts of land situated at Chinthapally (v) of Miryalaguda (M) was acquired by the Revenue Divisional Officer, Miryalaguda in Award Progs. No.E2/1981/84, dated:08.02.1986 while fixing the market value @ Rs.5,660/- 4,840/- and Rs.3,500/- for A.B.C categories respectively for formation of New B.G.Railway line from Bibinagar to Nadikudi and the possession of the land was handed over to the requisition department on 18.12.1981 but the D.N .u/s 4(1) of LA Act, 1984 was published on 06.05.1982.

2. The District Collector, Nalgonda has also submitted that on making a reference u/s 18 of LA Act, the Sr.civil Judge, Miryalaguda enhanced the compensation @ Rs.54,150/- PA for all categories of lands in O.P.No.12/89 on 28.04.1990. Aggrieved by the above orders, the RDO, has preferred an appeal to the Hon'ble High Court and the same has been dismissed in A.S.No.2744/90 on 14.12.1998. During the pendency of the appeal in the Hon'ble High Court an amount of Rs.28,27,799/- has been deposited on 28.03.1991 onwards half of the decretal charges and Rs.21,87,370 has also been deposited on 31.01.2001 after dismissal of appeal in the High Court.

3. The District Collector further submitted that dismissal of the appeal the claimants have filed an I.A.No.95/2002 in OP No.12/89 for amendment of the decree to allow the additional benefits u/s 23 (1A) and same was allowed on 21.03.2002. After allowing the amendment petition, the respondent filed EP No.7/2003 in OP No.12/89 claiming AMV and interest thereon and interest on solatium which was dismissed. The claimants filed CRP No.6007/2006 against the orders dated:29.11.2006 in EP No.7/2003 and the same was allowed on 21.03.2007 and ordered that the interest on additional market value and solatium shall be restricted up to 31.10.2001.

4. The Hon'ble High Court have amended the orders dated:23.01.2007 in CRP No.6007/2006 in CRP MP No.7846/2009, dated:23.12.2008 that the interest on additional market value shall be reckoned from 19.09.2001 i.e from the date of the judgment in Sunder Case (1 Supra). Again the LAO has filed another Review Petition Rev CRP No.2490/2011 in Rev CRPMP No.7846/2008 in CRP No.6007/2006 and the Hon'ble High Court has modified its judgment dated:23.12.2008 on 28.07.2011 after the words "Additional Market Value" in the first sentence the words "solatium" shall be added.

5. Therefore, the CCLA, AP, Hyderabad has requested the Government to release an amount of Rs. of **Rs.30,99,335/-** (Rupees Thirty Lakhs Ninety Nine Thousand Three Hundred and Thirty Five only) being the decretal charges payable in OP No.12/89

6. Government after careful examination of the matter hereby accord sanction for an amount of of **Rs.30,99,335/-** (Rupees Thirty Lakhs Ninety Nine Thousand Three Hundred and Thirty Five only) being the decretal charges payable in OP No.12/89.

7. The expenditure sanctioned in Para 6 above, shall be debited to **“5054 – Capital Outlay on R&B - 80– General, MH 800 - Other Expenditure - G.H (11) - Normal State Plan, S.H.(04) - Construction of Roads and Bridges under Railway Safety Works - 530- Major Works, 532 - Lands (Charged)”** and shall be met initially as an advance from Contingency Fund Orders regarding which will be issued by Finance (BG - I) Department separately.

8. The Engineer-in-Chief, R&B (NH, Admn.) Hyderabad is requested to take necessary further action accordingly in the matter urgently to avoid contempt of Court and Personal appearance.

9. The Engineer-in-Chief, R&B (NH,Admn.) Hyderabad is requested to take action for obtaining supplementary grant at appropriate time during 2013-14 towards recoupment to the advance sanctioned from Contingency Fund.

10. This order issues with the concurrence of Finance Department vide their U.O.No. 22227/889/Exp.PW.II/A2/13, Dated:13.08.2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.LAKSHMI PARTHASARATHY
SPECIAL CHIEF SECRETARY TO GOVERNMENT (Tr)

To

The District Collector, Nalgonda.

The Principal Account General, (A&E), A.P. Hyderabad

The Director of Works Accounts, Hyderabad.

Copy to:

Chief Commissioner of Land Administration, A.P, Hyderabad.

Engineer in Chief, R&B (NH, Admn.), Hyderabad.

The Pay & Accounts Office, Nalgonda.

The Revenue Divisional Officer, Nalgonda.

The Finance (Expr.PW/BG.I) Department.

Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER